



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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801-538-5340
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January 21, 1997

Scott Higley
4995 Heath Avenue
Kearns, Utah 84118

Dear Mr. Higley:

Re: Information Request Regarding the Regulations and Filing of Mining Claims

In response to your letter of January 11, 1997, regarding mining claims and regulations, I would like to clarify the Division's role in mining in Utah. The Utah Division of Oil, Gas and Mining regulates *all mining activity* within the State of Utah, regardless of land or mineral ownership. Before a person can legally mine on a claim, a Notice of Intention to Conduct Mining Operations must be submitted and accepted by the Division. I have enclosed copies of these notices for your convenience. Please use Form NOI-SMO if your proposed operations will disturb less than five (5) acres total (this acreage would include any new roads that may need to be constructed). Use Form NOI-LMO if your operation will be larger than five acres.

The Division has cooperative agreements with the BLM and the Forest Service so that you only need to file a mining notice with one agency, even though both (or in a few cases, all three) agencies will issue mining permits.

With regards to filing a mining claim, the Division does not regulate the mine claims. All mine claims are filed with the Bureau of Land Management (BLM), even if the surface is administered by the Forest Service. You will need to contact them for the necessary forms and procedures at 324 South State Street, Salt Lake City, Utah, Phone # 539-4010. Claims must also be filed with the County Recorder's Office for the county in which the claim is located.

I hope this information has been helpful. If you have any questions regarding filing for a mining permit, please give me a call at 538-5310.

Sincerely,

Lynn Kunzler
Senior Reclamation Specialist

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Enclosures



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BUREAU OF MINES
SALT LAKE CITY RESEARCH CENTER
RESEARCH DIRECTOR
729 S Arapen DR.
SALT LAKE CITY 84108
801-584-4100

"FED"

UNITED STATES FOREST SERVICE
Intermountain Regional Office "FED"
324 25TH Street
Ogden, Utah 84401 801-625-5158

UTAH NATURAL RESOURCES
Oil Gas and Mining Division
3 TRIAD CENTER SUITE 350 "STATE"
SALT LAKE CITY 84180-1203
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Mining Coordinator,

During the past years I have had the opportunity to do recreational prospecting in the Uintah and Ashley National forest. I have now determined that I would like to exercise my privilege to place claims. Since I have little knowledge on this process and wish to properly establish ownership I need all the information that is applicable. Particularly I need the information on any new restrictions or laws that pertain to an individuals right to place and work a claim on the above mentioned lands. These claims will not be filed upon reservation lands as presently defined but, may be upon the old reservation boundaries since the boundary change may affect my claims I intend to claim as defined by present constitutional boundaries. My intent is also to follow a fisher that appears to cross the county boundaries

The investigation of the claim will require removal of earth with pick and shovel at the "find" or "discovery" spot. Access to this area is within a short distance from an existing road. (within 1/8-1/4 mile). The terrain is grass with no trees, water, or shrubbery inhibiting access. Please advise me of any restrictions in these areas that would discredit my ability to stake claims. This area has no claim markings at present and I will wish to proceed after receiving clearance and information applicable to these areas and governing laws as of 1997. A more site specific identity cannot be given prior to the placement of claims. The type of claim I wish to place would be a "tunnel" claim for "casual" use prospecting, with, a lode claim in the center of the tunnel claim. I will need all of the forms required. I plan to use the postal service with certified mail for the filings. Please advise me of any problems that you may foresee.

Sincerely

Scott Higley
Scott Higley

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11 Jan 97

4995 HEATH Ave
Kearns, UT. 84118